

REMARKS

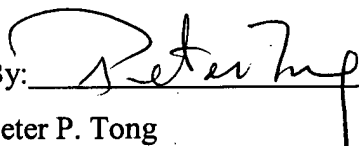
In a co-pending re-examination proceeding, with a Control Number 90/006,915 (hereinafter referred to as "Re-exam"), the term "customer" was interpreted by the Patent Office as meaning "an individual with whom one must deal". Based on this interpretation, the Patent Office concluded that employees were customers of their managers because the managers had to deal with the employees. Applicants opposed to this construction in the Re-exam, and would like to repeat their opposition in this application. Under this construction, a parent would be a customer of his child, and a child would be a customer of his parent. Such an interpretation would distort the meaning of the term "customer" as used in the specification.

During examination, claim terms are properly construed according to the broadest possible interpretation "consistent with the specification." In re Yamamoto, 740 F.2d 1569, 1571 (Fed. Cir. 1984). To construe the term "customer" to mean "an individual with whom one must deal" is not consistent with the specification. In this application, as in the Re-exam, the terms "employee" and "customer" have different meanings. For example, a company's employees are different from a company's customers. To be consistent with the specification, "customer" cannot be construed in a manner that employees become customers of their employers or their managers.

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Respectfully submitted,

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